

PHILIPPINE BILL GREATLY ALTERED

Senate Committee Cuts Out U. S. Guarantee of Islands' Freedom.

"COWARDLY CHANGE" SUTHERLAND CRIES

Filipinos as Unfit for Self-Rule as School Children, Protests Senator.

(From The Tribune Bureau.)

Washington, Jan. 31.—Several important changes in the Philippine bill were made by the Senate Philippine Committee at a special meeting.

The action which would force the United States alone to guarantee the sovereignty of the islands for five years following the granting of independence to the islands, was dropped.

Another change makes optional the retaining by the President of a coaling station in the islands. The original bill provided that the United States should retain such station for five years.

The section guaranteeing the sovereignty of the islands, as amended by the committee, now reads:

"Within four years after the passage of the act the President shall invite the cooperation of the principal nations interested in the affairs of that part of the world in which the Philippines are situated, in the form of a treaty or other character of binding agreement, whereby the cooperating nations shall mutually pledge themselves to recognize and respect the sovereignty and independence of the said Philippines, and to maintain as against external force the sovereignty of the said Philippines, and to assist the United States in such undertaking as shall include as parties to such convention of nations."

Can Cast Islands Adrift.

So that, if no nation were willing to join in such a guarantee with the United States, this country could cast the islands adrift without any guarantee at all that the next day some nation would not seize them.

Another amendment specified that the form of government established in the islands which should be recognized by the United States should be republican and must be established by peaceful means.

The date of independence was fixed as not less than two years or more than four years from the "first meeting of the legislative assembly in this act" instead of from the "date of the approval of this act."

The provision of the Clarke amendment giving the President the right to extend the time for granting independence up until the end of the next session of Congress following, is amended so as to give this right to the President also in the event "that the interests of the United States require."

The whole idea of the preamble of the Philippine bill and of getting out of the islands was denounced as a "cowardly act."

"I would like to ask the Senator if he wishes to train the eight million children in the graded schools," Senator Sutherland declared. "There would be anarchy from one end of the archipelago to the other within one year of their being granted the independence, or else some other nation will come in and do the work we are too cowardly to finish. Less than 10 per cent of the people of the islands are capable of carrying on a government. They are really fitted for self-government that the Mexicans, for instance, in Mexico, I understand, the percentage which is not fitted is only about 80 per cent."

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"Then what is the Senator for Utah training them for?" persisted Senator Cummins.

"The Senator from Utah is not proposing to train them for anything," smiled Senator Sutherland. "But I think this government should train them to the point where they would be fitted to govern themselves."

Senator Shafroth, who supports not only the bill but the Clarke amendment, asked Senator Sutherland if he did not know that, although the Moros had threatened to fight, the Filipinos were brought among them, the Moros had lived in harmony with the Filipinos under Governor Frank Carpenter.

"Yes," answered Senator Sutherland, "they lived in peace, but both races were being governed under the strong but just hand of the United States."

A disposition to press the bill more rapidly was demonstrated to-day, when an agreement was obtained under which the Senate did not adjourn to-morrow, but recessed until noon to-morrow. This means that the customary two hours of morning business will be dispensed with to-morrow, thus adding that length of time to the hours for debate of the bill to-morrow.

SLAPS 10-CENT LOTHARIO
Girl in Movie Show Then Has Him Arrested—Two Mashed in Cells.

Two masher men came to grief last night in court. Charles S. Sutherland, a three-year-old, 214 East 106th Street, was found guilty of annoying Mrs. Jeanette Fox, of 100 Convent Avenue, a pretty eighteen-year-old girl.

Mrs. Fox was in the West End Theatre, at West End Avenue and 100th Street, when Scott, who had the seat beside her, began devoting his attention to her instead of the pictures he had paid his dime to see. He took her hand in his, and when she insisted on holding it regardless of her objections she stood up and slapped him. Others were called and Scott was arrested. He was remanded for sentence on February 2. It is said that he is a second offender.

The second masher gave his name as Walter Eldridge, also twenty-three years old, of 501 Webster Avenue, Long Island City. He was arrested on the complaint of Miss Margaret Mulvaney, Miss Mulvaney, who is seventeen years old and lives at 300 Tenth Avenue, said that Eldridge had followed her and had made an insulting remark to her. He also was remanded until February 2.

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CITY'S GARBAGE CONTRACT CLOSED

Board of Estimate Authorizes \$1,500,000 to Buy Plant in 1922.

The Board of Estimate at its special meeting yesterday authorized Street Cleaning Commissioner Petherston to execute a garbage disposal contract involving the construction of a plant on Riker's Island. At the same time the board authorized the city to issue bonds for \$1,500,000 to pay for the plant.

Commissioner Petherston recently advertised for bids for the construction of the plant by private contractors, to be operated for five years by them and to be paid for by the city at the end of five years for \$1,500,000, and to be paid for by the city at the end of five years for \$1,500,000 less than the cost.

Morgan J. O'Brien, Jr., appeared before the board yesterday on behalf of the New York Sanitary Utilization Company, which has the present garbage disposal contract and maintains its plant on Riker's Island, and asked for a postponement of action until his company could be heard on the question of whether the Riker's Island plant was a public nuisance. The Sanitary Utilization Company had obtained an injunction restraining the board from acting on a similar contract, and Mr. O'Brien insisted that the injunction practically applied to both of the proposed contracts.

Mayor Mitchell declared that the injunction did not apply to the contract under discussion. The Mayor frankly stated that the city's relations with the present Riker's Island contractors had been highly unsatisfactory and that he believed they had requested an injunction so as not to allow time for the erection of the Riker's Island plant by January 2, 1917, and compel the city to extend the present contract for two years more.

"There have been complaints about the Riker's Island plant as a public nuisance," said the Mayor. "We want to abate the nuisance if possible. We don't want you there. We want to get you out. That is as plain as the nose on your face. For years your company has had the contract with the city and made millions of dollars by the utilization of the by-products. Under the new contract the city will receive a fair return. The new plant will be built and conducted so as to eliminate the objectionable features."

ENTIRE FORTUNE FOR COOKY
At Castle Built on Penny Crumbles When Runaways Get Hungry.

Albert Mullen, thirteen, and Joseph Hornstein, eleven, played hungry for hours in East Orange yesterday, and starting with one cent as their capital, came to this city to make their fortunes. They reached Jersey City and crossed the ferry hidden under bags in a truck.

Until the stores closed last night they wandered through the downtown district looking for work, then hunger drove them to the Fifth Avenue station. Meanwhile they had spent their capital for a cooky.

JUDGE HOUGH WITNESS AT SAFFORD HEARING
Testifies Notes on Exceptions Appeal Were in Blue Ink.

United States District Judge Charles A. Hough was a witness yesterday in a hearing to determine who wrote the pencilled notes that were found in the case of Frank R. Safford, accused of perjury in the famous Osborne case.

It is charged that the pencilled interpellations were inserted in the bill after Judge Hough had certified to it. The stenographer who took the testimony swore that they were not in his notes. David Slade, of the law firm of Slade & Slade, who wrote the attorneys for Safford, was not present at the hearing yesterday. At the last hearing he protested that the matter was a frame-up, and that he would stand on his constitutional rights and refuse to testify.

"I went over the record page by page," said Judge Hough. "It will be found on examination that the remarks made, with the exception of the interpellations, are made in black ink. It is my certain knowledge that when I went over the record there was nothing but the blue pencilling, the type-writing and the ink."

After the hearing Mr. Buckner said that the changing of the records of the court constituted a felony, and was of great importance, since on it might depend the decision of the United States Court of Appeals.

MEETS DUN WITH STABS
Delinquent Boarder a Prisoner, Landlady Dying in Belief.

Mrs. Mary Rockwell, proprietor of a rooming house at 304 East Forty-first Street, asked Marlboro Jordan, one of her boarders, yesterday, to pay her rent, which was several weeks overdue. In reply, he attacked her with a carving knife.

Last night at Bellevue Hospital it was said that Jordan was dying of eleven stab wounds. Jordan, captured after a fight with Patrolman Faust, was locked up in the East thirty-fifth Street police station.

Right and Title of U. S. To Philippines Absolute

Under Treaty with Spain, to "Withdraw" from Clear Possession Would Be Betrayal and Scuttling in Eyes of Nations.

By WILLIS FLETCHER JOHNSON, L. H. D.,
Author of "A Century of Expansion," "America's Foreign Relations," etc.
(This is the first of a series of articles on the title of the United States to the Philippines which will appear in The Tribune from time to time.)

Let us at least be honest in our action concerning the Philippines. If we are going to be cowards and shirkers of duty, let us confess the fact. If we are going to break faith with those who have trusted us, and make our solemn treaty a "scrap of paper," let us brazen it out before the world and not wear the mask of a national and international peck-sniff.

In brief, in the pending legislation and the various explanations of and advocates of and apologies for it, let us call a spade a spade.

That is more than has thus far generally been done. The whole Jones bill campaign has been one of false pretences. The pending measure is being promoted under false pretences. To wit:

There is talk of "granting freedom" to the Filipinos. There are statements that such action has "always been intended." There are intimations, assumptions, and sometimes direct statements that promises to that effect were made when we first entered the Philippines, and have been repeated since.

Each and every one of these items is characterized with either *expressio verbis* or *suggestio falsi*—or both—or worse.

"Withdrawal" is a Subterfuge.

Let us begin with the matter of "withdrawal." The obvious and intended implication of that term is that of the retirement of an intruder or trespasser from a place in which he has no right to be, or of one whose occupancy of the place was intended to be temporary and is now ended through fulfillment of the conditions for which it was made.

Thus, Germany "withdrew" from France when the indemnity of the "Terrible Year" was fully paid. Russia "withdrew" from Korea when after ten years' occupation she restored that territory to China, in 1911.

The United States "withdrew" from Cuba when it relinquished that island to the government of its own people. The international forces "withdrew" from China after the suppression of the Boxer outbreak and the exaction of indemnity.

Such is the accepted meaning of the term. But it would be preposterous and impudent to pretend that there was any similarity between any of these examples and the "withdrawal" from the Philippines which is now being demanded. In those islands we have not been and are not intruders or trespassers in a place where we have no right to be. On the contrary, we have the best of rights to be there; as good a right, both morally and legally, as we have to occupy any of our territory or as any nation has to occupy its domain, since we "have full power to do all acts and things which independent states may of right do."

Our title deed reads: "Not permanent and absolute. We are under no slight obligation, past or present, expressed or implied, legal or moral, to get out of the islands and abandon them. On the contrary, we are under both legal and moral obligations to remain there which no honorable nation or government could afford to ignore."

Historic Titles Pass in Review.
It will be pertinent and instructive briefly to compare our title to the Philippines with our titles to the various other parcels of territory which we have from time to time acquired since the establishment of our independence and the adoption of the Constitution.

The first was Louisiana. We acquired that through cession, by purchase. Our title deed reads: "The First Consul of the French Republic . . . doth hereby cede to the said United States forever and in full sovereignty the said territory."

The second was West Florida. We took that by conquest, and did not until years afterward go to the trouble of confirming that military title by treaty of cession. We just applied—

the good old rule, the simple plan, That they should take who have the power, And they should keep who can."

Years afterward, incidentally in connection with another matter, we did make a treaty formally ratifying that conquest.

The third was East Florida. We partly conquered that, and then dictated a treaty of cession under threat of completing the conquest. That treaty, which also covered the conquest of West Florida of years before, read: "His Catholic Majesty cedes to the United States, in full property and sovereignty, all the territories which belong to him, situated east of the Mississippi, known by the name of East and West Florida."

The fourth was Texas. We colonized that with our own people, with the purpose of having them, when they grew strong enough, revolt against and secede from Mexico; and when that

purpose was fulfilled we annexed the state by act of Congress in a manner the constitutionality of which has never been generally acknowledged, though our title will never be disputed.

The fifth was New Mexico and California. We took that region by unprovoked conquest, and then made a treaty of cession, which, however, did not by so much as a single word cede the territory to us, but simply stated what the new boundaries between the two countries should be, thus recognizing de facto the conquest, but not giving it the usual formal sanction of cession.

The sixth was the "Gadsden Purchase." We took that under a treaty which, like the foregoing, did not specifically "cede" us the territory, save by implication, but merely declared what the new boundaries should be.

The seventh was Alaska. We took that under a treaty of cession which read: "His Majesty the Emperor of the Russian Empire . . . doth hereby cede to the United States, by this convention . . . all the territory and dominion now possessed by his said majesty on the continent of America and in the adjacent islands."

The eighth was Porto Rico, the Philippines and some minor islands. These we took all in precisely the same way, at the same time and by the same acts, to wit, by military conquest, confirmed by treaty of cession. The treaty reads: "His Majesty the Emperor of the Spanish Empire . . . doth hereby cede to the United States the island of Porto Rico and other islands."

Spain cedes to the United States the archipelago known as the Philippine Islands.

Treaty with Spain Definite.
In the words of Hosea Bigelow, there you have it, plain and flat, in the whole list there is not a title more complete, more absolute, more unconditional, more irrevocable, more perpetual, than that which we have to the Philippines.

That we have a dubious, conditional or only a temporary title to them is as shallow as it is shameless. There never was a more definite and positive treaty in the world than that of Spain in 1898. There was no "string to it."

There was no equivocation, and there was not the slightest shadow of doubt on the part of any one in the world as to its meaning in respect to the Philippines. More than any other feature of it, more, indeed, than all others put together, the question of the disposition of the Philippines had been considered from time to time by the Spanish and American commissioners at Paris and by the world at large. That was the crux of the whole negotiation. The five American commissioners had discussed it among themselves, and had consulted the President and Secretary of State concerning it. They knew what they meant by the section of the treaty which they dictated. The Spanish commissioners knew what was meant by it. The people of the Philippines, the American nation and the whole world knew what was meant by it. And that meaning was that the Philippines were to become unconditionally and perpetually our property, just as much as Alaska or California or Louisiana.

Now, for the first time in the history of the American nation, it is proposed not to acquire new territory, but to discard some which we already possess. The hitherto uniform and unbroken practice is to be reversed. The established policy of the Republic, from Jefferson and Madison, through Monroe and Adams to McKinley and Hay, is to be repudiated and discredited. Such, at least, is the proposal, such the perilous and vicious attempt; though that it will or can succeed faith in American honor and integrity forbids us for a moment to believe. But, at least, let the real character and aspect of the design be unmasked. Let there be no more talk about intentions which never existed, about promises which never were made. Let there be no more glib and facile hypocrisy about "withdrawal" when the actual purpose is scuttling and secession.

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GIRL LEPER FINDS CHEER IN MUSIC

Magdalena, at 18, Isolated from World, Hopes Piano Will Ease Lonely Life.

DOCTORS BASE HOPE ON CHAULMOOGRA OIL

Treatment Used in Philippines Expected to Help, if Not Cure, Plague's Victim.

The piteous Astarte cry, "Unclean! Unclean!" may echo over the Jersey flats when, at dusk, Magdalena McLean, leper, is released to take a stroll—alone.

Isolated in the Hudson County Hospital for Contagious Diseases, at Secaucus, N. J., this seventeen-year-old West Indian girl is steeling herself for a life, every day of which, physicians say, must be passed in seclusion.

Leprosy marked the girl when as a child she played on Barbados Island. Soon after her parents moved to Jersey City, several years ago, a rash appeared upon her body, but not until she was of New York, three years ago, was her disease diagnosed as leprosy. Since then she had been in a room in her home, at 930 West Side Avenue, Jersey City, Friday the authorities decided to remove her to an isolated ward in an institution. Not till then was the girl told she was a leper.

Magdalena was writing a letter to her mother yesterday. On a stand were an open book and a large bouquet of flowers. Hanging from the ceiling, near a wide, partly opened window, was a cage of canaries that had been sent to her by the Mayor of Jersey City.

Seventeen years old now and made more serious and mature than girls of her age by years of seclusion with her books, there is still the Indian beauty about her, although her face is partly disfigured and her hands spotted.

"My only worry," she said, "is about my people. They must have known all along that I was a leper, for they have always been about me, mamma especially. Friday they took me away. Even papa cried. When I was first shut up in my room at home I wondered why I couldn't play with my little friends, but I got used to it. I suppose I'll get used to this, too."

"Yes, I am to be allowed to fix up these rooms as I please, and sometimes, in the dusk, I will be allowed to go walking if I go alone and keep far away from everybody. With my books, birds and my piano I shall have to do the best I can. I think I shall be contented. Music, especially the music one makes up when alone, is great company."

"Will she soon lose the use of her hands?" Superintendent McDonough was asked, "so she can't play the piano?"

"Maybe," he replied, "but we are going to try the chaulmoogra oil treatment. It may help her. The government claims to have cured 30,000 lepers in the Philippines with it."

Mr. Coe came to New York from a little town in Northern Michigan, where he was once a lawyer in good standing, to ask Mr. Carnegie for a pension.

"Before you take me home I would like to see the Zoological Gardens here." This was the only request of James M. Coe, eighty-one years old, who wandered into the distress and unemployment bureau yesterday at Police Headquarters, penniless and hungry, after ten days' searching for Andrew Carnegie.

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RYAN COUNTRY HOME GUARDED BY SHERIFFS

Traction Man's Wife Has Watchmen at Estate Made Deputies.

Hudson Ward, new Sheriff of Rockland County, announced at New City yesterday that he has appointed two special deputy sheriffs for Mrs. Thomas Fortune Ryan, wife of the traction magnate.

The deputies are to guard the country estates of Mrs. Ryan and her sons, Allan and Joseph, at Suffern, Special Deputies McGuire and Sullivan, night and day watchmen for the Ryan are the most commissioned. They were appointed at the request of Mrs. Ryan. The reason is said to be to keep trespassers and thieves from her property.

CAN'T TOUCH CARNEGIE, BUT MUST SEE ZOO
Penniless Lawyer, 81, Came to Ask Laird for Pension.

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